

## SUPPLEMENTAL REQUIREMENTS

- 11. Maintenance, Repair or Modification of Existing Towers.** All towers constructed or under construction on the date of approval of this Ordinance may continue in existence as a legal non-conforming structure and may be maintained or repaired without complying with any of the requirements of this Section. Nonconforming structures or uses may not be enlarged or the degree of nonconformance increased without complying with this Section, including applying for and obtaining a conditional use permit. Said application shall describe and specify all items which do not comply with this Section and may request, subject to final review and approval of the Board of Adjustment, an exemption from compliance as a part of the approval of the conditional use permit.
- 12. Inspections.** The owner of the telecommunication tower shall provide copies of any inspection reports resulting inspections of the tower required either by this section, any other governmental authority, or by the operational procedures of the owner. The County reserves the right to conduct inspection of towers, antenna support structures, telecommunications facilities and antenna upon reasonable notice to the tower owner or operator to determine compliance with this Section and to prevent structural and equipment failures and accidents which may cause damage, injuries or nuisances to the public. Inspections may be made to determine compliance with the County's Zoning Ordinances and any other construction standards set forth by the County, federal, and state law or applicable ANSI standards. County inspections shall be made by either an employee of the County's Zoning Office, Building Inspector, or a duly appointed independent representative of the County.
- 13. Maintenance.** All towers, antenna support structures, antennas and telecommunications facilities shall be maintained in good condition by the owner or operator so that the same does not constitute a nuisance to or a danger to the life or property of any person or the public.
- 14. Abandonment.** If any tower shall cease to be used for a period of one (1) year, the Zoning Office shall notify the tower owner that the site will be subject to determination by the Zoning Director that the site has been abandoned. Upon issuance of written notice to show cause by the Zoning Director, the tower owner shall have thirty (30) days to show preponderance of evidence that the tower has been in use or under repair during the period of apparent abandonment. In the event the tower owner fails to show that the tower has been in use or under repair during the relevant period, the Zoning Director shall issue a final determination of abandonment of the site and the tower owner shall have seventy-five (75) days thereafter to dismantle and move the tower. In the event the tower is not dismantled and removed, the tower shall be declared a public nuisance by the Zoning Director, or his/her designee and a written request shall be directed to the County Attorney to proceed to abate said public nuisance pursuant to authority of the Iowa Code and Woodbury County codes, and charge the costs thereof against the real estate on which the tower is located or the owner of record of the said real estate.
- 15. Satellite Dish Antennas.** In residentially zoned districts, satellite dish antennas may not exceed a diameter of ten feet

### **Section 5.06: Airport Hazard Area Height Restrictions.**

- 1. Purpose.** The purpose of airport hazard area height restrictions is to coordinate structure height limits with the airspace requirements for safe and efficient operation of aircraft using FAA regulated airport facilities such as the Sioux Gateway Airport.

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2. **Subarea height restrictions.** The airport hazard area is composed of the following defined sub-areas. The regulations set forth in this chapter shall control if they are more restrictive than the underlying base zoning district regulations. No physical obstructions, including structures and trees, shall be permitted to encroach into the following described airport hazard area zones as illustrated on the Airport Height Limitation Map, dated September 18, 2006, on file in the Woodbury County Zoning Office:
  - A. Instrument runway approach zone. For an instrument runway, the approach zone is the space above each of the following described planes:
    - (1) The initial plane has a slope of 50 horizontal to 1 vertical projected from a point 200 feet beyond the end of the runway for a distance of 10,000 feet with the shape of the plane to be a symmetrical trapezoid centered on an extension from the runway with a width of 1000 feet at its lowest point and a width of 4000 feet at its highest point; and
    - (2) The second plane has a slope of 40 horizontal to 1 vertical projected from the high end of the initial plane for an additional distance of 40,000 feet with the shape of the plane to be a symmetrical trapezoid centered on an extension from the runway with a width of 4000 feet at its lowest point and a width of 16,000 at its highest point.
  - B. Noninstrument approach zone. For an airport runway not designed to be used for instrument landings, the approach zone is the space above a plane with a slope of 40 horizontal to 1 vertical projected from a point 200 feet beyond the end of the runway for a distance of 10,000 feet with the shape of the plane to be a symmetrical trapezoid centered on an extension from the runway with a width of 500 feet at its lowest point and a width of 2500 feet at its highest point.
  - C. Transition zones. The transition zone is the space above the plane surfaces described by extending outward perpendicular to the centerline of each runway 5000 feet from the outer edge of the approach zone at a slope of 7 horizontal to 1 vertical.
  - D. Horizontal zone. The horizontal zone is the space above a horizontal plane 150 feet above the established airport elevation (1097 feet above mean sea level for the Sioux Gateway Airport) within an area described by lines connecting the tangents of and following arcs with radii of 10,000 feet from the center of the end of each runway.
  - E. Conical zone. The conical zone is the space above a surface described by radiating outward and upward from the perimeter of the horizontal zone at a ratio of 20 horizontal to 1 vertical for a horizontal distance of 4000 feet.
  - F. Exceptions: Nothing in this chapter shall be construed as prohibiting the growth, construction or maintenance of any tree or structure to a height of up to 45 feet above the surface of the ground.
3. **Use restrictions.** No use may be carried out within the airport hazard area that creates electrical interference for radio communications, causes glare or otherwise interferes with visibility, or otherwise endangers take-offs, landings or maneuvering of aircraft.
4. **Definitions.** Unless specifically defined below, words or phrases used in this chapter shall be interpreted as defined in section 6.02 or as having the meanings they

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have in common usage as appropriate to give this chapter its most reasonable application.

- A. Airport – The Sioux Gateway Airport and any other airport facilities in or near Woodbury County that are operated in conformance with the Federal Aviation Administration regulations.
- B. Airport elevation – The highest point of the usable landing area at the airport, measured in feet above mean sea level. For the Sioux Gateway Airport, the airport elevation is 1097 feet above mean sea level,
- C. Airport hazard – Any physical object or use of land that obstructs the air space required for the flight of aircraft in landing or taking off at an airport or that is otherwise hazardous to flight of aircraft.
- D. Height – Elevation above mean sea level.
- E. Instrument runway – An airport runway that is equipped or will be equipped with electronic navigation aids to permit landings and take-offs by aircraft under conditions of limited visibility.
- F. Nonconforming use -- Any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this chapter.
- G. Noninstrument runway -- A runway other than an instrument runway.
- H. Obstruction -- Any tangible, inanimate physical object, natural or artificial, that protrudes above the surface of the ground.
- I. Runway -- A designated portion of the airport, as herein defined, prepared for landing and takeoff of aircraft along the centerline of its longest dimension.
- J. Structure – Anything constructed, erected or placed on a fixed location on the ground or on another structure, specifically including buildings, walls, fences, signs, towers, and storage tanks, but excluding paving. Vehicles and other movable objects may be considered as structures if they are placed in a generally fixed location for a purpose other than transportation.
- K. Tree -- Any object of natural botanical growth.